

**KASSON TOWNSHIP
PLANNING/ZONING SPECIAL USE PERMIT
SUP RENEWAL STAFF REPORT AND FINDINGS OF FACT**

Applicant Name(s) **ELMERS REAL ESTATE CO, LLC**

Tax Parcel Number 007-017-001-10 & -20

Date of Meeting MONDAY, 7/19/21

STAFF REPORT

On Thursday 7/8/2021, Zoning Administrator Tim Cypher physically inspected the property.

He was not accompanied on this inspection by Elmer's staff.

His observations were as follows:

SEE ATTACHED INSPECTION REPORT DATED 7/8/2021

REVIEWED PREVIOUS RENEWAL. SITE CONDITIONS CONFIRMED COMPLIANCE NO FORMAL COMPLAINTS RECEIVED SINCE AUGUST 1, 2019 WHEN ZA CYPHER STARTED HIS DUTIES WITH KASSON TOWNSHIP.

NO VIOLATIONS OBSERVED.

GENERAL FINDINGS OF FACT

The Commission finds that the site is located in Kasson Township, Leelanau County.

The Commission finds that the site is 75 acres M/L in size.

The Commission finds that the site is located in the Gravel Zoning District

The Commission finds that the proposed type of use of the property will be Gravel Mining and Extraction in nature.

The Commission finds that the proposed use as an earth removal, or quarrying, or gravel processing and mining operation is permitted in this District as a conditional use with a Special Use Permit.

The Commission finds that Section 7.3 of the Zoning Ordinance delegates the Commission the authority to review and approve, approve with conditions, or deny the request for a Special Use Permit.

The Commission finds that Section 7.5.B of the Zoning Ordinance requires a Special Use Permit Application contain a Development Site Plan prepared in accordance with Chapter 8 of the Zoning Ordinance.

The Commission finds that Section 8.4 of the Zoning Ordinance delegates the Commission the authority to review and approve, approve with conditions, or deny a Development Site Plan...

The Commission finds that a Notice of Public hearing was published on July 1st, 2021 in the *Leelanau Enterprise* as required by Sections 7.6.A.1 and 7.6.A.2 of the Zoning Ordinance and with Public Act 110 of 2006, as amended (MCL 125.3103).

The Commission finds that notice was mailed to all required parties on July 1st, 2021 , as required by Sections 7.6.A.1 and 7.6.A.3 of the Zoning Ordinance and with Public Act 110 of 2006, as amended (MCL 125.3103).

The Commission finds that an affidavit of notice as to the manner and date of service to all required parties was filed with the Commission at or before the meeting at which the special use permit is being considered as required by Sections 7.6.A.4 of the Zoning Ordinance.

The property covered by this Special Use Permit Application is described as:
10146 & 10212 S. Coleman Road, Maple City, MI 49664

ITEM	STD MET?	FINDING(S):
<p align="center">SECTION 7.7 BASIS FOR DETERMINATION</p> <p><i>Before approval (or extensions) of a Special Use Permit, the Commission shall establish that the standards specified in this Section, as well as applicable standards outlined elsewhere in this Ordinance, shall be satisfied. Each of the proposed special land uses on the proposed location shall:</i></p>		
<p><i>A. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, as indicated in the Township Master Plan or other policies of the Township.</i></p>	YES	<p>This site is located in the Gravel Zoning District. Other similar processing operations exist in the District, this operation being no different in character. Gravel extraction is indicated for this area on the Master Plan of the Township. Therefore, it is found that this requirement is met.</p>
<p><i>B. Not be hazardous or disturbing to existing uses in the same general vicinity, and will not have adverse effects on the market value of surrounding property and to the community as a whole.</i></p>	YES	<p>Elmers's operation is one of the largest in the Township. In the past, it is believed that when any issues arose with surrounding owners, those were resolved quickly. Therefore, it is found that this requirement is met.</p>
<p><i>C. Be served adequately by essential facilities and services, such as, but not limited to, highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, and schools.</i></p>	YES	<p>Since the operation will continue as it has for a number of years, it is not expected to have additional impact on surrounding properties and residents. Therefore, it is found that this requirement is met.</p>
<p><i>D. Not create excessive additional requirements at public costs for public facilities and services.</i></p>	YES	<p>Since the operation will continue as it has for several years, it is not expected to have additional impact on public costs for public facilities and services. Therefore, it is found that this requirement is met.</p>
<p><i>E. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any persons, property or the general welfare by fumes, glare, noise or odors.</i></p>	YES	<p>Since the operation will continue as it has for several years, it is not expected to have additional impact on surrounding properties and residents for fumes, glare, noise or odors. Therefore, it is found that this requirement is met.</p>

<i>F. Will be in general compliance with the land use policies outlined in the Township Master Plan, the principles of sound planning, and will not jeopardize the economic welfare of the Township.</i>	YES	Based on past performance of the applicant who has other Special Use Permits, it is assumed and expected that the existing use will continue to be in compliance, follow the principles of sound planning and not jeopardize the economic welfare. Therefore, it is found that this requirement is met.
<i>G. Will not directly or indirectly have a substantial adverse effect upon the natural resources of the Township. Including, but not limited to, prime or unique agricultural lands, water recharge areas, lakes, rivers, streams, forest, wetlands, wildlife areas and major sand, gravel or mineral deposits.</i>	YES	Obviously, the extraction of sand and gravel has an impact on the natural resources of the Township. However in the past, the operation has not been observed to have adverse impact on the other resources listed in this requirement. This land use has provided economic benefit to the Township and the region as a whole. Therefore, it is found that this requirement is met.
<i>H. Structures, landscaping, or other land uses, will not disrupt water drainage systems necessary for agricultural uses and will be in compliance with Leelanau County Drainage Commission requirements.</i>	YES	Since the nature of this mining operation is to create an area that is lower than the surrounding land, all drainage substances stay within the property. This pit does not collect groundwater that requires pumping and disposal offsite. Therefore, it is found that this requirement is met.

ATTEST:

FOR THE COMMISSION

FOR THE COMMISSION STAFF

Stella Otto
Planning Commission Chairperson

Tim Cypher
Township Zoning Administrator

Chuck Schaeffer
Planning Commission Secretary

**KASSON TOWNSHIP
ZONING ADMINISTRATOR INSPECTION REPORT**

SPECIAL USE PERMIT RENEWAL – GRAVEL TAX #'s 007-017-001-10 & 007-017-001-20

A. ADDRESS OR BUSINESS NAME: ELMERS 669 PIT - APPROX. 75 ACRES + or -

B. INSPECTION BY: TIMOTHY A. CYPHER KTZA **DATE & TIME:** THURSDAY, 7/8/21, 3PM

C. NAMES OF OWNER / REPRESENTATIVE PRESENT: N/A

D. NAMES OF PUBLIC OFFICIALS PRESENT: KTZA, TIMOTHY A. CYPHER

E. NAMES OF MEMBERS OF THE PUBLIC PRESENT: N/A

F. CONDITIONS OBSERVED/CONVERSATIONS: REVIEWED PREVIOUS RENEWAL. SITE CONDITIONS CONFIRMED COMPLIANCE AND NO CHANGES FROM PREVIOUS SUBMITTAL. NO COMPLAINTS RECEIVED SINCE AUGUST 1, 2019 WHEN ZA CYPHER STARTED HIS DUTIES WITH KASSON TOWNSHIP

G. VIOLATIONS OF ORDINANCE OR SPECIAL USE PERMIT OBSERVED: NO VIOLATIONS OBSERVED

H. RECOMMENDATIONS MADE TO OWNER: MAINTAIN PRESENT COURSE OF ACTION AND IMMEDIATELY NOTIFY ZA CYPHER OF ANY CHANGES IN THE STATUS OF APPROVALS. ZA CYPHER FEELS A GOOD RELATIONSHIP IS IN PLACE AND LOOKING TO CONTINUE THE SAME IN THE FUTURE.

I. NOTES FOR THE FILE OR FOLLOW UP: APPLICANT PROVIDING ELECTRONIC DOCUMENTS TO UPDATE TOWNSHIP'S DATA BASE.

SIGNED BY: *Timothy A. Cypher, 7/8/2021*

IF MORE ROOM IS NEEDED, PLEASE ATTACH ADDITIONAL SHEET(S) AND NOTE THE SECTION LETTER FROM WHICH YOU ARE CONTINUING.

Kasson Township Legal Notice
For July 1st, 2021 Edition,
Leelanau Enterprise
Attention: Legals

Please publish the following legal notice in the July 1st, 2021, edition of the *Leelanau Enterprise*.
If there are any questions, call Tim Cypher at 231-360-2557.

**KASSON TOWNSHIP
PLANNING COMMISSION
NOTICE TO THE PUBLIC
Public Hearing
Monday – July 19, 2021 – 7:00 p.m.**

The Kasson Township Planning Commission has scheduled a public hearing for Monday, July 19, 2021, at 7:00 pm at the Kasson Township Hall - 10988 Newman Rd., Maple City, MI 49664 to receive comment on a Special Land Use Permit gravel pit renewal application from Elmer's Real Estate Company (669 Pit). The application is required per Section 7.11 Permit Renewal of the Kasson Township Zoning Ordinance for any Special Use Permits with an active "Performance Guarantee" must be brought before the Planning Commission every two (2) years for review and renewal in the Gravel Zoning District. The parcels are located at 10146 & 10212 S. Coleman Road, Section 17, T28N, R13W, and the tax numbers 45-007-017-001-10 & 45-007-017-001-20. The Planning Commission requests your questions, input, opinions or concerns relating to this proposed use.

To review the application or to submit written comments, write Kasson Township Zoning Administrator, PO Box 226, Lake Leelanau, MI 49653; call 231-360-2557; or email tim@allpermits.com.

Kasson Township will provide services for the hearing impaired and others with disabilities with seven days' notice to the zoning administrator at the address and phone above.

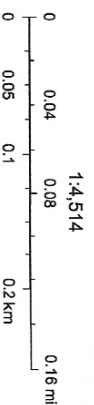
Timothy A. Cypher, Kasson Township Zoning Administrator

Leelanau Parcel Viewer



6/27/2021, 3:04:01 PM

- Roads
- Municipalities
- Sections
- Tax Parcels



This map is prepared by Leelanau County for reference purposes only. Leelanau County is not liable for any errors that may be found in this map.

Parcel No. 007-017-001-10

Leelanau County Property Information (Assessment Year - 2021)

Jurisdiction: KASSON 45-07

Owner Name: BROAD RENTALS LLC

Property Address: 10146 S COLEMAN RD
MAPLE CITY, MI 49664

Mailing Address: 700 BROAD RD
TRAVERSE CITY, MI 49685

Property Information

Period	Taxable Value	Assessment	S.E.V.
Current Year	\$92,486	\$118,300	\$118,300
Last Year	\$91,210	\$111,000	\$111,000

School District: 45010

Current P.R.E.: 0%

Current Property Class: 401

Current Year Tax Information

Tax Period	Tax Amount	Tax Owed
Summer	\$859.89	\$0.00
Winter	\$2,175.64	\$0.00

Prior Years Tax Information

Tax Period	Tax Amount
Summer 2019	\$846.24
Winter 2019	\$2,069.65
Summer 2018	\$828.21
Winter 2018	\$2,022.91
Summer 2017	\$812.92
Winter 2017	\$1,969.64

Delinquent Tax Information

For current delinquent tax information or to pay your delinquent taxes online, [CLICK HERE](#) and you will be redirected to a third party site.

Property Sale Information

Parcel No. 007-017-001-20

Leelanau County Property Information (Assessment Year - 2021)

Jurisdiction: KASSON 45-07

Owner Name: ELMERS REAL ESTATE COMPANY LLC

Property Address: 10212 S COLEMAN RD
MAPLE CITY, MI 49664

Mailing Address: PO BOX 6150
TRAVERSE CITY, MI 49685

Property Information

Period	Taxable Value	Assessment	S.E.V.
Current Year	\$337,226	\$396,600	\$396,600
Last Year	\$332,571	\$387,500	\$387,500

School District: 45010

Current P.R.E.: 0%

Current Property Class: 301

Current Year Tax Information

Tax Period	Tax Amount	Tax Owed
Summer	\$3,135.34	\$0.00
Winter	\$7,827.26	\$0.00

Prior Years Tax Information

Tax Period	Tax Amount
Summer 2019	\$3,085.56
Winter 2019	\$7,440.72
Summer 2018	\$3,019.81
Winter 2018	\$7,270.24
Summer 2017	\$2,964.04
Winter 2017	\$7,075.91

Delinquent Tax Information

For current delinquent tax information or to pay your delinquent taxes online, [CLICK HERE](#) and you will be redirected to a third party site.

Property Sale Information

Glen Arbor Township Notice to the Public

Synopsis of the Glen Arbor Township Regular Board meeting of June 15, 2021.

The meeting was held in the Glen Arbor Township Hall and called to order at 7:30 p.m. Members present: L. Houtteman, P. Laureto, T. Laureto, D. Lewis, and J. Peppler. Chief Ferguson and several members of the public were also present.

The agenda was approved as presented. Public Comment: None. Minutes of the 5/25/21 Regular Board Meeting were approved.

Actions approved by motion: 1) Payment of General Fund expenses and payroll, 2) Payment of Emergency Services expenses and payroll, 3) To forward Ordinance #4-2021 and accompanying Bylaws to legal counsel for review, 4) To accept the \$1,047 quote from Aspen Wireless for the replacement of the network video recorder. Unfinished Business Discussed: 1) Cemetery Ordinance and Bylaws prepared by P. Laureto to establish and govern a Cemetery Board, 2) Supervisor Laureto's meeting with Aspen Wireless and the quote for a replacement network video recorder.

New Business Discussed: None. Public Comments: Jane Becker encouraged the board to have hybrid meetings using ZOOM so that people who cannot attend in person can be involved.

Janine Dean asked if people could speak up a little bit more. Patricia Widmeyer asked how she can obtain a copy of the Zoning Administrator's report.

Jeff Annatynov requested that we continue to use ZOOM. He asked about the two Planning Commission members who had resigned. He asked about what happens next and if the positions will be filled.

Public comments were addressed during Board Member comments. Meeting adjourned at 8:28 p.m. A complete copy of the minutes can be reviewed at the township office or on the township website.

Pam Laureto, Township Clerk

Kasson Township Planning Commission Notice To The Public

Public Hearing
Monday - July 19, 2021 - 7:00 p.m.

The Kasson Township Planning Commission has scheduled a public hearing for Monday, July 19, 2021, at 7:00 pm at the Kasson Township Hall - 10988 Newman Rd., Maple City, MI 49664 to receive comment on a Special Land Use Permit gravel pit renewal application from Elmer's Real Estate Company (669 Pitt). The application is required per Section 7.11 Permit Renewal of the Kasson Township Zoning Ordinance for any Special Use Permits with an active "Performance Guarantee" must be brought before the Planning Commission every two (2) years for review and renewal in the Gravel Zoning District. The parcels are located at 10146 & 10212 S. Coleman Road, Section 17, 128N, R1SW, and the tax numbers 45-007-017-001-10 & 45-007-017-001-20. The Planning Commission requests your questions, input, opinions or concerns relating to this proposed use.

To review the application or to submit written comments, write Kasson Township Zoning Administrator, PO Box 226, Lake Leelanau, MI 49653; call 231-360-2557; or email tim@allpermits.com. Kasson Township will provide services for the hearing impaired and others with disabilities with seven days' notice to the zoning administrator at the address and phone above.

Timothy A. Cypher, Kasson Township Zoning Administrator

Suttons Bay Village Notice

Synopsis of Suttons Bay Village Council Regular virtual meeting of June 21, 2021. The meeting was called to order at 5:39 p.m., by President Lutke. Quorum present. Present: Bahle, Case, Christensen, Long, Lutke, Smith.

Absent: Suppes. Council approved the agenda as presented with an affirmative unanimous roll call vote.

Council approved the Consent agenda as presented with an affirmative unanimous roll call vote. The Village Council Regular meeting minutes dated May 17, 2021 and May 26, 2021, are approved. The payment of invoices is approved. The 2020 Annual Report of the Planning Commission is accepted as required by Section 19(2) of the Michigan Planning Enabling Act. The 2020 Audit is accepted as prepared and will be submitted to the State of Michigan by June 30, 2021.

Bay supported the application from Bay Community Theatre Organization for the Club License Application to be located at 214 N. St. Joseph Street, Suttons Bay, MI, be considered for approval by the Michigan Liquor Control

Commission, by an affirmative unanimous roll call vote.

Council adopted the proposed Resolution Opposing Short Term Legislation with an affirmative unanimous roll call vote.

The meeting adjourned at 6:06 p.m. A full copy of the minutes can be found on the Village website at www.suttonsbayvillage.org or a copy can be viewed at the Village Hall. Submitted by Shar Fay, Village Clerk.

Leelanau Township Notice to the Public

2021-2022 Meeting Schedules April 13, 2021 - March 10, 2022. The Leelanau Township Board regular meeting will be held on the second Tuesday of each month at the Leelanau Township Hall at 119 E. Nagonaba St., P.O. Box 338, in Northport, Michigan. Special meetings, additional meetings and cancellations will be properly noticed. The schedule for the fiscal year 2021/2022 is as follows:

April 13, 2021 5:30 P.M.
May 11, 2021 5:30 P.M.
June 08, 2021 5:30 P.M.
July 13, 2021 5:30 P.M.
August 10, 2021 5:30 P.M.
September 14, 2021 5:30 P.M.
October 12, 2021 5:30 P.M.
November 09, 2021 5:30 P.M.
December 14, 2021 5:30 P.M.
January 11, 2022 5:30 P.M.
February 08, 2022 5:30 P.M.
March 08, 2022 5:30 P.M.

All Township Meetings are open to the public and are in compliance with the Open Meetings Act. Leelanau Township will provide necessary and/or reasonable auxiliary aids and services for the hearing impaired and other persons

with disabilities upon seven days notice to the Leelanau Township Office. Requests should be made with the Leelanau Township Office at (231) 366-5158, ext. 1 or by mail at the address stated above.

MONICA DIAZ
Leelanau Township Clerk

Public Notice

NOTICE TO CREDITORS
Decedent's Estate
State of Michigan Probate Court
County of Leelanau
File No. 20-13160-DE

Estate of Virginia B. Campbell Date of birth: March 11, 1939
NOTICE TO CREDITORS: The decedent, Virginia Backus Campbell, died June 11, 2019.

Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Kristen C. Eshleman: c/o Sara C. Vyncke, personal representative, or to both the probate court at 126 East Front Street, Ste. 2 Traverse City, MI 49684 and the personal representative within 4 months after the date of publication of this notice.

June 22, 2021
Kristen C. Eshleman: c/o Sara C. Vyncke
126 East Front Street, Ste. 2
Traverse City, MI 49684
(231) 941-5000
Sara C. Vyncke P70715
26 E. Front Street, Ste. 2
Traverse City, MI 49684
231-941-5000

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cell: 231.632.2135 | greglewisconsulting.com

**KASSON TOWNSHIP
PLANNING/ZONING APPLICATION
ADDENDUM – SPECIAL USE PERMIT RENEWAL**

Prior to completing this petition, the Applicant(s) should review the Kasson Township Zoning Ordinance, in particular Chapter 7, and any other section that applies to your petition. A copy of the Ordinance may be obtained from the Kasson Township Clerk.

Applicant Name(s) Elmer's Real Estate Co. Tax Parcel Number 045-007-017-001-20

PERFORMANCE GUARANTEE

If the performance guarantee for this Permit is in the form of an Irrevocable Bank Letter of Credit, an updated Letter of Credit must be submitted with this application. The duration of the Letter of Credit will typically extend one year beyond the expiration of the renewed Permit (typically, Permits are granted/renewed for two years). Check with the Zoning Administrator to verify the particular requirements for this Permit.

CERTIFICATION

As owner or authorized corporate officer, I hereby certify that the uses of, and activities upon, the subject property continue to be in compliance with all aspects of the Kasson Township Zoning Ordinance, the Site Plan, and the previously granted Special Use Permit for this property.

Todd E. Brand
Signature of Owner or Authorized Corporate Officer

6-29-2021
Date

**SUBMIT THIS APPLICATION, THE REQUIRED FEE, AND ANY
ATTACHMENTS TO THE KASSON TOWNSHIP ZONING ADMINISTRATOR.**

**SUBMIT YOUR UPDATED LETTER OF CREDIT TO THE KASSON
TOWNSHIP CLERK.**

PNC Bank, National Association
International Trade Product Delivery
500 First Avenue - 2nd Floor
Pittsburgh, PA 15219
Mail Stop: P7-PFSC-02-T

Client Care: 1-800-682-4689
SWIFT Address: PNCCUS33



DATE: FEBRUARY 26, 2021

BENEFICIARY:
KASSON TOWNSHIP
10988 SOUTH NEWMAN ROAD
MAPLE CITY, MI 49664

APPLICANT:
ELMER'S CRANE AND DOZER, INC.
3600 RENNIE SCHOOL ROAD
TRAVERSE CITY MI 49685

ATTENTION: TOWNSHIP CLERK

AMENDMENT TO IRREVOCABLE STANDBY LETTER OF CREDIT

OUR REFERENCE:	18115873-00-000
AMENDMENT NUMBER:	7

WE HEREBY AMEND OUR IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER
18115873-00-000 AS FOLLOWS:

THE EXPIRY DATE IS NOW TO READ: MAY 20, 2023.

THIS LETTER OF CREDIT WILL CONTINUE TO AUTOMATICALLY EXTEND AS PROVIDED
FOR THEREIN.

ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED.

PNC BANK, NATIONAL ASSOCIATION
INTERNATIONAL TRADE PRODUCT DELIVERY

**KASSON TOWNSHIP
PLANNING/ZONING APPLICATION**

ACKNOWLEDGEMENT AND CERTIFICATION:

It is hereby acknowledged by the undersigned, that all information provided on this application, any addendum, and other supporting documentation is true and correct to the best of my(our) knowledge. In the case of a Zoning Board of Appeals Petition, it is further acknowledged that any approval of the ZBA involving site improvement, use, and/or construction does not relieve the applicant from obtaining other applicable authorizations and permits

SIGNATURES:

Applicant(s) or Tanner Date 6/29/2021

Authorized _____

Corporate Officer(s)

Owner(s) or Todd E. Broad Date 6-29-2021

Authorized _____

Corporate Officer(s)

REMINDER: SUBMIT THIS APPLICATION, THE APPROPRIATE ADDENDUM, THE REQUIRED FEE, ALL ATTACHMENTS AND DRAWINGS TO EITHER THE KASSON TOWNSHIP ZONING ADMINISTRATOR OR KASSON TOWNSHIP CLERK (SEE YOUR PARTICULAR ADDENDUM).

ZONING ADMINISTRATOR AND CLERK USE ONLY

Application ID _____

Date and Time of Application Receipt _____ Received By _____

Date Fee Received _____ Amount Received _____

Date of Letter of Credit Received _____ Letter of Credit Amt _____

Date of Letter of Credit Expiration _____